

# Wetlands Bureau Decision Report

Decisions Taken  
01/05/2004 to 01/09/2004

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**1998-01871                      NH DEPT OF TRANSPORTATION**  
**SALEM   Various**

### Requested Action:

Approve time extension request from 5/5/04 to 5/5/09.

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### Conservation Commission/Staff Comments:

Salem Con Com recommends approval and requested that DOT consider providing mitigation in Salem.

### APPROVE TIME EXTENSION:

1. Waive DES public hearing based on field inspection by Lori Sommer and lack of significant opposition at the DOT public hearing held on 10/18/95 in Windham.
2. Dredge and fill a total of 365,904 sq. ft. (8.4 acres) in the towns of Windham and Salem for the construction of a controlled/limited access 2 mile bypass along existing alignment of a section of Route 111, with transitions at either end. Work will be conducted as detailed in the Final Environmental Impact Statement dated June, 1998, and the application package received 10/6/98, and extend east from I-93, exit 3 in Windham to an improved section of Route 111 just east of Shadow Lake in Salem. Three new intersections will be constructed and the existing intersection with Route 28 will be modified.
3. Approximately 364,597 sq. ft. (8.37 acres) of wetlands will be enhanced, restored and/or created in two areas and 46 acres of land adjacent to Shadow Lake will be preserved.

NHDOT project #10075.

### With Conditions:

1. The wetland impacts associated with this approval are based on field delineated and surveyed wetland boundaries as listed by wetland type and function noted in the New Hampshire Route 111, Windham-Salem Project Final Environmental Impact Statement, June, 1998 (hereinafter "FEIS"), Table 4.10.2-2.
2. This permit is issued to impact wetlands and surface waters along the horizontal alignment only as noted in the application materials and within the minimization design standards specified in the application.
3. During final design and construction work, wetland impacts that exceed 8.4 acres as represented in the plans provided in the Army Corps of Engineers permit application, shall require submittal of a permit amendment request to be reviewed by the DES Wetlands Bureau.
4. The applicant shall modify the mitigation proposal if through amendments filed during final design and construction work, project impacts exceed acres represented in the original approval.
5. Revisions that increase permanent or temporary impacts to wetlands or surface waters beyond those indicated on the plans received 10/6/98 shall be submitted to the file and to the local conservation commission. The additional work shall not be implemented for at least 14 days unless written approval is received from the DES Wetlands Bureau.
6. During final design of roadway construction plans, a joint review shall be held by state and federal agencies regarding proposed water quality treatment features such as grass swales or detention basins that may cause additional wetland impacts for construction to confirm need, location, and necessity for a permit amendment.
7. Final design plans for roadway construction shall be submitted for each contract with a summary of wetland impacts for the associated contract work.
8. During final design, efforts to avoid or minimize wetlands and surface water impacts shall continue by providing steep side slopes and minimizing culvert lengths.
9. The proposed mitigation measures for surface water impacts, impacts to aquatic life, floodplains, groundwater resources, wetlands, and wildlife habitat as described in the FEIS shall be incorporated in the final design plans for the project.
10. The bridge carrying the Modified C3/4 alignment over Flat Rock Brook shall span the Brook's 100 year floodplain with runoff directed through drainage treatment areas before reaching the Brook.
11. Wetland 41 will be bridged to maintain a corridor for wildlife.

12. Detention basins will be provided in each watershed.
13. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless otherwise specified.
14. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
15. The project engineer shall oversee installation of erosion controls and routinely verify that the controls are properly maintained during construction.
16. Appropriate storm water management and erosion control Best Management Practices shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated.
17. Construction equipment shall not be located within surface waters.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
21. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners.
22. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
23. The NHDOT shall limit unnecessary removal of vegetation within riparian areas during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
24. Standard precautions shall be taken not to import or transport soil or seed stock from nuisance, invading species such as purple loosestrife or phragmites.
25. Land clearing in wetland areas during highway construction is to be kept to a minimum to reduce impacts on wildlife habitat.
26. Impacts associated with temporary work shall be remediated immediately following construction.
27. The proposed mitigation as detailed in the FEIS, Section 4.10.3 shall be followed for compensating wetland impacts associated with the proposed project according to the acreage, types, and functions of wetlands lost through the proposed project impact.
28. The deed language and legal description for the proposed preservation land shall be submitted to the DES Wetlands Bureau prior to construction.
29. The Wetlands Bureau shall be notified of subsequent transferrals of the preservation land and mitigation sites to another agency that has been retained for management purposes.
30. Data documented on the use of the preservation area by wildlife, amphibians and reptiles shall be submitted to the Wetlands Bureau with recommendations for minimizing road crossing impacts. During final design of roadway construction plans, a joint review shall be held by state and federal agencies regarding proposed design features to be implemented based on information documented.
31. The schedule for mitigation construction shall be submitted to the Wetlands Bureau for review.
32. The final mitigation plans including planting schedule for the wetland creation and enhancement areas shall be submitted for review by the Wetlands Bureau.
33. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. In other areas the Department considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
34. Wetland creation, restoration and enhancement areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
35. Wetland creation, restoration and enhancement areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
36. The NHDOT shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.
37. The NHDOT shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area

and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site. After at least five full growing seasons, the NHDOT shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as built plans.

With Findings:

1. This project would have qualified for a time extension under rules in effect at the time of permit issuance. This action extends the permit to the five year period allowed under current Rule Wt 502.01.

**2002-02206                      NH DEPT OF TRANSPORTATION**  
**MANCHESTER   Unnamed Stream**

Requested Action:

Impact 30,592 sq. ft. (8,652 sq. ft. temporary) of palustrine wetlands and brooks to reconstruct and widen Candia Road providing uniform travel ways, shoulders, sidewalks, a new drainage system and improving intersections. Mitigate by removing 60,456 sq. ft. of material to restore 45,779 sq. ft. of mostly emergent wetlands.

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Inspection Date: 06/05/2003 by Gino E Infascelli

APPROVE PERMIT:

Impact 30,592 sq. ft. (8,652 sq. ft. temporary) of palustrine wetlands and brooks to reconstruct and widen Candia Road providing uniform travel ways, shoulders, sidewalks, a new drainage system and improving intersections. Mitigate by removing 60,456 sq. ft. of material to restore 45,779 sq. ft. of mostly emergent wetlands. NHDOT project #12328.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc.:
  - a. Wetland Impact Plan sheets 1-24 revised 3/18/02, as received by the Department on October 7, 2002 and
  - b. Plan sheets 65 and 66 revised 8/12/03, sheets 67-70 revised 8/14/03 and sheet 100 revised 8/13/03 all as received by the Department on December 16, 2003.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within surface waters, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

18. The impacts associated with the temporary work shall be restored immediately following construction.

#### Wetland restoration:

19. This permit is contingent upon the restoration of 45,779 sq. ft. of wetlands in accordance with plans received December 16, 2003.

20. The purpose of the mitigation work is to compensate for the loss of some flood storage functions provided by the wetlands in the general area.

21. The applicant shall consider modifications to the mitigation proposal if through amendments filed during final design and construction work, project impacts exceed amounts represented in the approved permit.

22. The schedule for mitigation construction shall coincide with site development unless otherwise considered and authorized by the Wetlands Bureau to occur subsequent to site construction.

23. The acreage of wetland restoration, wetland preservation, and upland preservation for the selected site shall be consistent with that described in the application and attachments.

24. The mitigation area shall be properly constructed, monitored, managed in accordance with approved final mitigation plans, and the entire mitigation area shall be preserved from future development.

25. A copy of the deed shall be submitted to the DES Wetlands Bureau following DOT purchase of the mitigation property. The Wetlands Bureau shall be notified of subsequent transfers of the property to another agency that has been retained for management purposes.

26. The schedule for mitigation construction shall be submitted to the Wetlands Bureau for review.

27. The final mitigation plans, including a planting schedule for the wetland restoration area, shall be submitted to the Wetlands Bureau for review.

28. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland restoration site. In other areas the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.

29. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

30. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.

31. The NHDOT shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.

32. The NHDOT shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site. After at least five full growing seasons, the NHDOT shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as built plans.

#### With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of more than 20,000 sq. ft. of non-tidal wetlands

and surface waters.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence or field inspection finds that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 5, 2003. Field inspection determined that the impact areas are reasonable to improve traffic flow and will provide for improved treatment of roadway runoff.
6. The applicant will excavate 60,456 sq. ft. of previous fill to restore 45,779 sq. ft. of emergent wetlands.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland palustrine and riverine ecosystem.

**2003-01800                      MANCHESTER PARKS & RECREATION, CITY OF**  
**MANCHESTER    Piscataquog River**

Requested Action:

Restore a total of 2000 sq. ft. of compacted and eroded river bank (from public use) at four (4) locations along the Piscataquog River with native shrubs and vegetation together with rip-rap and gabion baskets as required and install granite steps and a concrete ramp to improve public access locations.

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APPROVE PERMIT:

Restore a total of 2000 sq. ft. of compacted and eroded river bank (from public use) at four (4) locations along the Piscataquog River with native shrubs and vegetation together with rip-rap and gabion baskets as required and install granite steps and a concrete ramp to improve public access locations.

With Conditions:

1. All work shall be in accordance with plans by Comprehensive Environmental, Inc. dated Nov. 5, 2002, as received by the Department on August 14, 2003.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-02293                      SPRAGUE ENERGY CORP**  
**NEWINGTON    Piscataqua River**

Requested Action:

Construct in tidal waters a 1,300 foot long conveyor system connected to a 420 foot long tripper conveyor, both to be supported every 100 feet by rock anchored pilings, and construct a ship loading crane with a 120 foot long boom to exist on crane rails which will be supported every 20 feet by two vertical and two battered pilings. Project impacts for installation of pilings within the tidal waters total 395 square feet. Construct 1,940 square feet of a dry storage pad extension within the upland tidal buffer zone, and line

with filter fabric and small riprap approximately 2,500 square feet of an existing dry stream bed for drainage. Tidal buffer zone and drainage swale impacts total 4,440 square feet.

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Inspection Date: 12/04/2003 by Christina Altimari

#### APPROVE PERMIT:

Construct in tidal waters a 1,300 foot long conveyor system connected to a 420 foot long tripper conveyor, both to be supported every 100 feet by rock anchored pilings, and construct a ship loading crane with a 120 foot long boom to exist on crane rails which will be supported every 20 feet by two vertical and two battered pilings. Project impacts for installation of pilings within the tidal waters total 395 square feet. Construct 1,940 square feet of a dry storage pad extension within the upland tidal buffer zone, and line with filter fabric and small riprap approximately 2,500 square feet of an existing dry stream bed for drainage. Tidal buffer zone and drainage swale impacts total 4,440 square feet.

#### With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering, Inc. dated December 2003, as received by the Department on December 10, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Work shall be done during low flow.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

#### With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01, as the proposed conveyor and ship loading crane system are needed to provide a method of exporting wood chips, a by-product of the NH lumber industry, from the existing terminal at the Sprague Energy Facility.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES Staff conducted a field inspection of the proposed project on December 4, 2003. Field inspection determined the public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.

#### MINOR IMPACT PROJECT

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**2003-01154                      FREITAS, NANCIE**  
**HILL   Unnamed Wetland**

#### Requested Action:

Amendment request to relocate the 160 square feet of temporary impact for the construction access 90 feet to the south.

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Conservation Commission/Staff Comments:

The conservation commission did not comment on this project.

APPROVE AMENDMENT:

Restore 4375 square feet of forested wetland temporarily impact 160 square feet for construction access and permanently impact 450 square feet for driveway access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated October 11, 2002 and amended by Lobdell Associates on April 28, 2003, as received by the Department on September 26, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during low flow.
5. Restoration activities shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Areas of restoration shall be brought back to original grade.
9. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration is in accordance with the approved plan.
10. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
11. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

The department reaffirms the original findings 1-4.

**2003-02066                      ERB JR, ROBERT & JUDITH**  
**SANDWICH   Fire Pond**

Requested Action:

Fill 4,000 square feet of abandoned man made fire pond.

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Conservation Commission/Staff Comments:

The conservation commission supports filling in the fire pond.

APPROVE PERMIT:

Fill 4,000 square feet of abandoned man made fire pond.

With Conditions:

1. All work shall be in accordance with plans, as received by the Department on December 22, 2003.
2. This filling shall occur between the months of August and October.
3. The discharge pipe shall be removed prior to the filling of the pond.
4. The Department of Environmental Services, the conservation commission and all abutters shall be notified in writing 1 week prior to construction for possible site inspection.
5. The pond shall be drained prior to the filling.



6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate turbidity controls shall be installed prior to work, shall be maintained during construction such that no turbidity escapes the immediate work area.
8. Only clean fill shall be used.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. All work shall be done under low flow conditions.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects of minimum environmental impact as deemed by DES.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This fire pond is a safety hazard to small children and animals and filling it is a viable alternative.
6. This fire pond was man made in 1970's.
7. The conservation commission is in favor of the project.
8. The town constructed a new fire pond across the street, permit 2002-01676, to replace this existing fire pond.

**2003-02538                      PELHAM, TOWN OF**  
**PELHAM   Beaver Brook**

Requested Action:

Dredge and fill a total of 1,520 sq. ft. of riverine wetlands (825 sq. ft. permanent impacts & 695 sq. ft. temporary impacts) for work associated with the removal of the existing substandard bridge structure and abutments and the construction of a new bridge to carry Tallant Road over Beaver Brook in the Town of Pelham.

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APPROVE PERMIT:

Dredge and fill a total of 1,520 sq. ft. of riverine wetlands (825 sq. ft. permanent impacts & 695 sq. ft. temporary impacts) for work associated with the removal of the existing substandard bridge structure and abutments and the construction of a new bridge to carry Tallant Road over Beaver Brook in the Town of Pelham.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants, Inc. dated 08/03, as received by the Department on November 12, 2003.
2. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
3. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
4. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
5. Temporary cofferdams shall be entirely removed immediately following construction.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

**2003-02540                      MARINO, FRANK**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Extend an existing 'U' shaped, piling pier 15 ft lake ward, with completed dimensions being a 6 ft x 45 ft piling pier connected to a 4 ft x 45 ft piling pier by an existing 6 ft x 10 ft walkway on an average of 183 ft of frontage on Black Cove, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. did not object to project.

Project will not impact loon nesting and habitat.

APPROVE PERMIT:

Extend an existing 'U' shaped, piling pier 15 ft lake ward, with completed dimensions being a 6 ft x 45 ft piling pier connected to a 4 ft x 45 ft piling pier by an existing 6 ft x 10 ft walkway on an average of 183 ft of frontage on Black Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Frank Marino dated November 3, 2003, as received by the Department on November 12, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No portion of the 'U' shaped dock shall extend beyond 45 ft from the normal high water line.
8. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
9. Pilings shall be spaced a minimum of 12 feet apart as measured center to center.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of an existing 3-slip docking structure by extending the length by 15 ft per RSA 482-A for water depth.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-02582                      HALL, HOWARD & KAREN**  
**LACONIA   Winnisquam Lake**

Requested Action:

Permanently remove an existing 190 sq ft nonconforming docking structure and an existing 11 ft 6 in x 13 ft 6 in concrete boat ramp, and install a 6 ft x 40 ft seasonal dock, with a seasonal boatlift, and construct a 22 ft x 19 ft 6 in perched beach, utilizing 20 cu yds of sand, surrounded by 58 linear ft of 1 ft wide rock wall, and replace existing concrete steps with stone steps accessing the beach and water on an average of 165 ft of frontage on Lake Winnisquam.

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Conservation Commission/Staff Comments:

Con. Com. had no objections to the project, except they wondered why stairs needed to be replaced.

APPROVE PERMIT:

Permanently remove an existing 190 sq ft nonconforming docking structure and an existing 11 ft 6 in x 13 ft 6 in concrete boat ramp, and install a 6 ft x 40 ft seasonal dock, with a seasonal boatlift, and construct a 22 ft x 19 ft 6 in perched beach, utilizing 20 cu yds of sand, surrounded by 58 linear ft of 1 ft wide rock wall, and replace existing concrete steps with stone steps accessing the beach and water on an average of 165 ft of frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated November 10, 2003, as received by the Department on November 18, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal structures shall be removed from the lake for the non-boating season.
9. No portion of the seasonal pier shall extend more than 40 feet from the shoreline at full lake elevation.
10. Removed or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction prior to new construction.
11. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 482.35). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
12. The steps installed for access to the water shall be located completely landward of the normal high water line.
13. No more than 20 cu yds of sand may be used and all sand shall be located above the normal high water line.
14. This permit shall be used only once, and does not allow for annual beach replenishment.
15. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
16. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f), construction of a perched beach that utilizes not more than 20 cu yds of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

## MINIMUM IMPACT PROJECT

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**2003-02122                      BROOM, EDWARD**  
**NEW LONDON   Lake Sunapee**

### Requested Action:

Install a 6 ft x 40 ft seasonal dock hinged to a 6 ft x 4 ft concrete pad recessed into the bank on an average of 143 ft of frontage on Lake Sunapee, New London.

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### Conservation Commission/Staff Comments:

Con. Com. did not comment.

### APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock hinged to a 6 ft x 4 ft concrete pad recessed into the bank on an average of 143 ft of frontage on Lake Sunapee, New London.

### With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 2, 2004, as received by the Department on January 5, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal pier shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
9. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

### With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a 2-slip hinged seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-02326                      FLEISCHHACKER, PETER**  
**BELMONT   Unnamed Wetland**

### Requested Action:

Deny application to fill 1009 square feet of forested wetland to meet town building setbacks to wetlands.

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Conservation Commission/Staff Comments:

The Belmont Conservation Commission opposes granting this permit.

DENY PERMIT:

Deny application to fill 1009 square feet of forested wetland to meet town building setbacks to wetlands.

With Findings:

Standards for Approval:

1. This is a Minimum Impact Project per NH Code of Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Rule Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Rule Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.

Findings of Fact:

7. On October 17, 2003 DES Wetlands received a Standard Dredge and Fill Application that proposed to fill 1,009 square feet of forested wetland. The application stated that the project is needed to provide adequate setbacks to comply with the Town of Belmont Zoning Ordinance.
8. In a letter dated October 27, 2003, The Belmont Conservation Commission stated that they wish to intervene on this application.
9. In a letter dated November 17, 2003, The Belmont Conservation Commission stated that they oppose the granting of the permit.
10. On December 16, 2003, DES Staff met with Mr. Fleischhacker, and informed him that DES does not approve this type of application and information was lacking in the file, specifically a denial of the variance to the town setback.
11. On December 17, 2003, DES Staff called Brian Bailey, the Agent, and informed him that all of the required information required was not submitted with the application and DES did not consider this an approvable project.

Findings in support of Denial:

12. The applicant failed to provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
13. The project is therefore denied per Rule Wt 302.04(d)(1) as there are practical alternatives that would have a less adverse impact on the area under the department's jurisdiction.
14. The project is denied per Rule Wt 302.04(d)(3) as the project causes unnecessary destruction of a forested wetland.
15. The project is denied per Rule Wt 302.04(d)(5) as the requirements of Wt 302.03 were not met and the applicant failed to document factors as required in Wt 302.04(b).

**2003-02381                      PELLETIER, HERMAN/PEARL**  
**MILTON   Tributary To Town House Pond**

Requested Action:

Dredge and fill a total of 2441 square feet of wetland and install two 36-inch culverts in an intermittent stream for the construction of two driveways to access two proposed building lots in the subdivision of 28.45 acres into three lots.

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Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill a total of 2441 square feet of wetland and install two 36-inch culverts in an intermittent stream for the construction of two driveways to access two proposed building lots in the subdivision of 28.45 acres into three lots.

With Conditions:

1. All work shall be in accordance with plans by Berry Engineering and Surveying dated September 3, 2003, as received by the Department on October 22, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on lots 27-1 and 27-2.
3. The deed which accompanies the sales transaction for lots 27-1, and 27-2 in this subdivision shall contain condition # 2 of this approval.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be done during no flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert inverts shall be laid at existing grade.
11. Culvert outlets shall be appropriately rip-rapped in accordance with The Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows and Rule Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-02523**

**MAPLECROFT BUILDING & DEVELOPMENT LLC**

**EPPING Unnamed Wetland**

Requested Action:

Fill approximately 2,650 square feet of wet meadow wetlands to provide driveway access to an elderly housing project on approximately 20.28 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

11/19/03 - The Epping Conservation Commission gave approval for application.

APPROVE PERMIT:

Fill approximately 2,650 square feet of wet meadow wetlands to provide driveway access to an elderly housing project on approximately 20.28 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Jones & Beach Engineers, Inc. received by the Department on November 10, 2003:
  - a. The Lot Consolidation and Subdivision Plan (Sheet 3 of 16), the Existing Conditions Plan (Sheet 4 of 16) and the Grading and Drainage Plan (Sheet 6 of 16) dated August 17, 2003 and revised October 16, 2003; and
  - b. The General Notes and Legends (Sheet 2 of 16) dated September 8, 2003 and revised October 16, 2003.
2. This permit is contingent on approval by the DES Dam Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and reduce scour and erosion.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992)

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), as the project will alter less than 3,000 square feet of forested wetlands.
2. A letter of approval from the Epping Conservation Commission was received by the DES Wetlands Bureau on November 19, 2003.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

**2003-02585**                      **FIELD, RANDALL & JOAN**  
**NEW DURHAM**   **Merrymeeting Lake**

Requested Action:

Replace in-kind 70 linear ft of existing rock retaining wall, replace 11 linear ft of existing concrete retaining wall with 11 linear ft of

rock wall adjacent to an existing 4 ft x 6 ft boat ramp, and replace (3) 5 ft wide concrete steps with (3) granite steps on an average of 90 ft of frontage on Merrymeeting Lake, New Durham.

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Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Replace in-kind 70 linear ft of existing rock retaining wall, replace 11 linear ft of existing concrete retaining wall with 11 linear ft of rock wall adjacent to an existing 4 ft x 6 ft boat ramp, and replace (3) 5 ft wide concrete steps with (3) granite steps on an average of 90 ft of frontage on Merrymeeting Lake, New Durham.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction of Wolfeboro, Inc. dated November 6, 2003, as received by the Department on November 17, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Repair shall maintain existing size, location and configuration.
9. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. Work shall be done during low flow.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-02621**                      **CARSEN, ROY**  
**GILFORD**   **Lake Winnepesaukee**

Requested Action:

Construct a 12 ft x 25 ft perched beach with (4) 4 ft wide granite steps accessing the water on an average of 199 ft of frontage on Sanders Bay, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

No useable locus information in file. Digitized from previous files.

Con. Com. had no objections to project.

APPROVE PERMIT:

Construct a 12 ft x 28 ft perched beach with (4) 4 ft wide granite steps accessing the water on an average of 199 ft of frontage on



Sanders Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 7, 2003, as received by the Department on November 20, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to the construction of the perched beach.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach utilizing no more than 10 cu yds of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02625

ALLISON, RICHARD

WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair and replace in-kind an existing 39 ft 6 in x 20 ft 4 in boathouse, attached to an existing 753 sq ft full crib concrete deck and an existing 636 sq ft full crib concrete deck, with an existing 5 ft x 28 ft full crib pier and 9 oak pilings on an average of 100 ft of frontage on Keniston Island, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Repair and replace in-kind an existing 39 ft 6 in x 20 ft 4 in boathouse, attached to an existing 753 sq ft full crib concrete deck and

an existing 636 sq ft full crib concrete deck, with an existing 5 ft x 28 ft full crib pier and 9 oak pilings on an average of 100 ft of frontage on Keniston Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated November 19, 2003, as received by the Department on November 21, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. All removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
8. Repair shall maintain existing size, location and configuration.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-02653                      2233 NO RIVER RD LLC**  
**MANCHESTER   Unnamed Wetland**

Requested Action:

Temporary impact to 300 sq. ft. of palustrine forested/scrub-shrub wetlands including a small perennial stream to install a municipal sewer line to the site of the proposed new Chabad Lubavitch synagogue.

\*\*\*\*\*

APPROVE PERMIT:

Temporary impact to 300 sq. ft. of palustrine forested/scrub-shrub wetlands including a small perennial stream to install a municipal sewer line to the site of the proposed new Chabad Lubavitch synagogue.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated Oct. 2003, as received by the Department on November 26, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Area of temporary impact shall be regraded to original contours and stream banks and flow channel to be restored immediately following completion of work.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.

## FORESTRY NOTIFICATION

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**2003-02809                      HARRIS CENTER FOR CONSERVATION EDUCATION**  
**HANCOCK   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hancock Tax Map R4, Lot# 7 & 8

**2003-02810                      CIAMPOLI, BEATRICE & ALBERT**  
**ALTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Alton Tax Map 5, Lot# 48 & 50

**2003-02811                      CUSHING, IRVING**  
**WARREN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Warren Tax Map 10, Lot# 243

**2003-02812                      RYNER, PETER**  
**HANCOCK   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hancock Tax Map R7, Lot# 7& 8

**2003-02813                      SPNHF**  
**JAFFREY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Jaffrey Tax Map 220, Lot# 26

**2003-02831                      CLARK, LESIMA**  
**PITTSFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pittsfield Tax map R51, Lot# 5

**2003-02832                      PLUM CREEK MAINE TIMBERLANDS LLC**  
**CAMBRIDGE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge Tax Map 1619, Lot# 1.2

**2003-02833 PLUM CREEK MAINE TIMBERLANDS LLC**  
**CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge Tax Map 1619, Lot# 1.2

**2003-02834 PLUM CREEK MAINE TIMBERLANDS LLC**  
**CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge Tax Map 1619, Lot# 1.2

**2003-02835 PLUM CREEK MAINE TIMBERLANDS LLC**  
**CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge Tax map 1619, Lot# 1.2

**2003-02836 PLUM CREEK MAINE TIMBERLANDS LLC**  
**CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge Tax Map 1619, Lot# 1.2

**2003-02837 PLUM CREEK MAINE TIMBERLANDS LLC**  
**CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge Tax Map 1619, Lot# 1.2

**2003-02838 PLUM CREEK MAINE TIMBERLANDS LLC**  
**CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge Tax Map 1619, Lot# 1.2

**2003-02839 PLUM CREEK MAINE TIMBERLANDS LLC**  
**CAMBRIDGE Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge Tax Map 1619, Lot# 1.2

**2003-02840 WINONA, BONNIE**  
**LEE Unnamed Stream**

COMPLETE NOTIFICATION:

Lee Tax Map 23, Lot# 1-0

**2003-02841                      HOWARD, JACQUELYN, JAMES & JOHN**  
**CHESTERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:

Chesterfield Tax Map 3B, Lot# 16

**2003-02842                      HERTEL, FRED & VAN**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:

Ossipee Tax Map 6, Lot# 141

**2003-02859                      EAMES, JEFFREY & RACHEL**  
**SALISBURY   Unnamed Stream**

COMPLETE NOTIFICATION:

Salisbury Tax MAp 11, Lot# 67

**2003-02861                      WEBSTER LAND CORP, C/O WAGNER FOREST MGMT**  
**CAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Campton Tax MAp 17, Lot# 7-6

**2003-02862                      YANKEE FOREST LLC**  
**CAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Campton Tax Map 10, Lot# 7-4

**2003-02864                      FADDEN, THOMAS**  
**BARTLETT   Unnamed Stream**

COMPLETE NOTIFICATION:

Bartlett Tax Map 6WSTSD, Lot# 092R00

**2003-02871                      NH DRED, FORESTS AND LANDS**  
**ORANGE   Unnamed Stream**

COMPLETE NOTIFICATION:

Orange   State Sale P2-323

**2003-02873                      NEW ENGLAND POWER CO**  
**HOPKINTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hopkinton Tax Map 247, Lot# 10

**2003-02876                      ROWAN, PETER & JUNE HAMMOND**  
**PLYMOUTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Plymouth Tax map 6-6, Lot# 4

**2003-02879                      GREEN CROW CORP**  
**ORANGE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Andover Tax Map 29, Lot# 329,069

**2003-02880                      JOHANNESSEN, LEIF & BERIT**  
**WAKEFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wakefiels Tax Map 47 & 32, Lot# 54 & 41

**2003-02885                      DRED - DIV OF FORESTS & LANDS**  
**PITTSBURG   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pittsburg Tax Map Lot# 26

## EXPEDITED MINIMUM

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**2003-01598                      GAGNON, JEAN**  
**DERRY   Unnamed Wetland**

Requested Action:  
Fill approximately 2,200 square feet of forested wetlands and the bed and banks of an intermittent stream to construct a driveway and install an 18-inch x 24-foot culvert and stone outlet apron to provide access to a single lot of a 7-lot residential subdivision on approximately 88.58 acres.

\*\*\*\*\*

APPROVE PERMIT:  
Fill approximately 2,200 square feet of forested wetlands and the bed and banks of an intermittent stream to construct a driveway and install an 18-inch x 24-foot culvert and stone outlet apron to provide access to a single lot of a 7-lot residential subdivision on

approximately 88.58 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Burd Engineering:
  - a. The Driveway Crossing Plan dated September 17, 2003 as received by the Department on September 25, 2003;
  - b. The Subdivision Plan (Sheets 6 & 7 of 11) dated March 13, 2001 and revised January 14, 2001, as received by the Department on January 7, 2004;
  - c. The Subdivision Plan (Sheet 8 of 11) dated March 13, 2001 and revised August 9, 2001, as received by the Department on January 7, 2004; and
  - d. The Subdivision Plan (Sheet 9 of 11) dated March 13, 2001 and revised March 18, 2002, as received by the Department on January 7, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. Work shall be conducted during low flow conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets to dissipate flow velocities and prevent scour and erosion.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project per Administrative Rules Wt 303.04(f) and Wt 303.04(n), as the project involves alteration of less than 3,000 square feet in forested wetlands and disturbs less than 50 linear feet of intermittent nontidal stream channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

**2003-02512                      ROSENBLOOM, SARA & GREGORY PETERS**  
**LACONIA   Lake Opechee**

Requested Action:

Replace 57 lf of existing retaining wall with a 6 ft wide access steps to the lake on Lake Opechee, Laconia.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com signed Min Expedited Application

APPROVE PERMIT:

Replace 57 lf of existing retaining wall with a 6 ft wide access steps to the lake on Lake Opechee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 1, 2003, as received by the Department on November 10, 2003 and stair cross sectional plan dated December 31, 2003 as received by the Department on December 31, 2003.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Repair shall maintain existing size, location and configuration.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
6. Work shall be done during drawdown.
7. The access steps shall be located entirely landward of the natural shoreline.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v).

**2003-02579                      CANDIA, TOWN OF**  
**CANDIA    Unnamed Pond**

Requested Action:

Maintenance dredge 44,230 sq. ft. of accumulated silt, debris and invasive vegetation from a man-made pond and along 75 linear feet of its' shoreline to restore and improve access and fire suppression capability.

\*\*\*\*\*

APPROVE PERMIT:

Maintenance dredge 44,230 sq. ft. of accumulated silt, debris and invasive vegetation from a man-made pond and along 75 linear feet of its' shoreline to restore and improve access and fire suppression capability.

With Conditions:

1. All work shall be in accordance with plans by James E. Franklin, LLS dated 11-16-03, as received by the Department on November 18, 2003.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Existing, natural shoreline vegetation around the perimeter of the pond shall remain undisturbed with the exception of the 75 foot edge impact for access as shown on the above referenced plan.
5. Work shall be done during low flow.

**2003-02652                      DETELLIS, GEOFFREY & NORA**  
**PELHAM    Unnamed Wetland**

Requested Action:

Dredge and fill 830 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a dual (side-by-side) driveway crossing to



provide access to two (2) single family residential house lots totalling 14.94 acres.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 830 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a dual (side-by-side) driveway crossing to provide access to two (2) single family residential house lots totalling 14.94 acres.

**With Conditions:**

1. All work shall be in accordance with plans by Edward N. Herbert Assoc., Inc. dated July, 2003, as received by the Department on November 25, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.

**2003-02662**

**BAKER, PETER**

**JACKSON Unnamed Stream**

**Requested Action:**

Dredge and fill 642 sq. ft. of palustrine forested/scrub-shrub wetlands, including an intermittent stream, and install a 3 ft. dia. x 45 ft. long culvert to construct a driveway to access a single family residential house lot, on a 1.6 acre parcel of land.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 642 sq. ft. of palustrine forested/scrub-shrub wetlands, including an intermittent stream, and install a 3 ft. dia. x 45 ft. long culvert to construct a driveway to access a single family residential house lot, on a 1.6 acre parcel of land.

**With Conditions:**

1. All work shall be in accordance with plans by Thaddeus Thorne-Surveys, Inc., as received by the Department on December 02, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Work shall be done during low flow.

**2003-02727**

**PSNH, RICHARD PERRON P.E.**

**ROCHESTER Unnamed Wetland**

**Requested Action:**

Impact approximately 90 sq. ft. of scrub-shrub wetlands to install 6 new utility poles as part of a power utility line upgrade.

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**APPROVE PERMIT:**

Impact approximately 90 sq. ft. of scrub-shrub wetlands to install 6 new utility poles as part of a power utility line upgrade.

**With Conditions:**

1. All work shall be in accordance with plans by Public Service of NH dated July 14, 2003, as received by the Department on December 9, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. All work shall take place during frozen conditions only.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Orange construction fencing and siltation/erosion controls shall be placed at the limits of construction in all areas where work in uplands is within 20' of the wetland boundary to prevent accidental encroachment on adjacent wetlands.
7. Timber mats shall be utilized for temporary crossings of wetlands and shall be removed immediately following completion of work.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

**2003-02745                      HAMILTON, PETER  
MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Replace two pilings on an previously permitted "U" shaped docking facility consisting of two 6 ft by 30 ft piling supported docks connected by a 11 ft 6 in by 6 ft walkway on Lake Winnepesaukee, Moultonboro.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com signed Exp Application

**APPROVE PERMIT:**

Replace two pilings on an previously permitted "U" shaped docking facility consisting of two 6 ft by 30 ft piling supported docks connected by a 11 ft 6 in by 6 ft walkway on Lake Winnepesaukee, Moultonboro.

**With Conditions:**

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction, as received by the Department on December 11, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Repair shall maintain existing size, location and configuration.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v).

**2003-02748**

**AIKENS, PETER**

**RYE Parsons Creek**

Requested Action:

Impact 6,664 square feet of previously developed upland tidal buffer zone for the removal of an existing failed septic system and installation of a new, modern septic system.

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APPROVE PERMIT:

Impact 6,664 square feet of previously developed upland tidal buffer zone for the removal of an existing failed septic system and installation of a new, modern septic system.

With Conditions:

1. All work shall be in accordance with plans by Millette, Sprague & Colwell, Inc. dated December 5, 2003, as received by the Department on December 11, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
9. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed septic system replacement is considered an improvement from the existing failed system, and will utilize modern technologies in order to comply with current septic system regulations.

**2003-02774**

**IADAROLA, DAVID**

**ALTON Lake Winnepesaukee**

Requested Action:

Repair an existing docking facility consisting of a 30 ft by 30 ft boathouse attached to a 9 ft by 46 ft dock connected to a 9 ft by 37 ft wharf by a 5 ft by 19 ft walkway in a "U" shaped configuration on Lake Winnepesaukee, Alton.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing docking facility consisting of a 30 ft by 30 ft boathouse attached to a 9 ft by 46 ft dock connected to a 9 ft by 37 ft wharf by a 5 ft by 19 ft walkway in a "U" shaped configuration on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by D.M. Iadarola dated November 3, 2003, as received by the Department on December 16, 2003
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Repair shall maintain existing size, location and configuration.
8. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v).

**2003-02781 LMS REALTY TRUST**  
**WOLFEBORO Lake Winnepesaukee**

Requested Action:

Repair and maintain an existing 60 slip major docking facility on 207 ft of frontage on Lake Winnepesaukee, Wolfeboro.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair and maintain an existing 60 slip major docking facility on 207 ft of frontage on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated November 28, 2003, as received by the Department on December 17, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing

structures" were not previously permitted or grandfathered.

4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

5. Repair shall maintain existing size, location and configuration.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

7. This permit does not allow for maintenance dredging.

8. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.

9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v).

**2003-02793**

**MOUNTAIN VIEW YACHT CLUB INC**

**GILFORD Lake Winnepesaukee**

Requested Action:

Replace an existing 160 ft gas dock in a major docking facility on Lake Winnepesaukee, Gilford.

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Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Replace an existing 1660 ft gas dock in a major docking facility on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Steven J Smith dated August 24, 2002, revision date December 10, 2003 as received by the Department on December 18, 2003.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

5. Repair shall maintain existing size, location and configuration.

6. This permit does not allow for maintenance dredging.

7. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.

8. Repairs shall maintain existing size, location and configuration.

9. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.

10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.

11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v).

## TRAILS NOTIFICATION

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**2003-00757 CAMPTON, TOWN OF**  
**CAMPTON Pemigewasset River**

COMPLETE NOTIFICATION:  
Campton Tax Map 15, Lot# 8

**2003-02852 LUNN JR, GLEN**  
**NORTHUMBERLAND Unnamed Stream**

COMPLETE NOTIFICATION:  
Northumberland Tax Map U7, Lot# 29

## ROADWAY MAINTENANCE NOTIF

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**2004-00016 NHDOT BUREAU OF PUBLIC WORKS**  
**CONCORD Unnamed Stream**

## RIVERS-SEASONAL DOCK NOTI

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**2003-02886 MUSIAL, STEVEN**  
**MANCHESTER Merrimack River**

COMPLETE NOTIFICATION:  
Manchester Tax Map 283, Lot# 556 Merrimack River

**2003-02887 LYONS, JOHN & TERESA**  
**(NO TOWN) Connecticut River**

COMPLETE NOTIFICATION:  
Theftford VT Tax Map 11, Lot# 61 & 62 Connecticut River

**2003-02888**

**SCHULTZ, MARK**

**ASHLAND Squam River**

COMPLETE NOTIFICATION:

Ashland Tax Map 14, Lot# 16-1 Squam Lake